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HEWLETT-PACKARD COMPANY  
10

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 IN RE OPTICAL DISK DRIVE PRODUCTS  
16 ANTITRUST LITIGATION

MDL Docket No. 3:10-md-02143-RS-JCS

17 This document relates to:

Case No. 3:13-cv-05370-RS

18 Hewlett-Packard Company,  
19 Plaintiff,

**STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING EXTENSION OF  
TIME TO RESPOND TO COMPLAINT  
AND SERVICE OF PROCESS**

20 v.

Hon. Richard Seeborg

21 Toshiba Corporation, et al.,

[Fed. R. Civ. P. 4 and Civil L.R. 6-1]

22 Defendants.  
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**STIPULATION**

WHEREAS on October 24, 2013, Plaintiff Hewlett-Packard Company ("HP") filed a Complaint [Doc. No. 1] (the "Complaint") naming Quanta Storage, Inc. and Quanta Storage America, Inc., among others, as defendants; and

WHEREAS on October 25, 2013, a Summons in a Civil Action issued as to Defendant Quanta Storage, Inc., and a Summons in a Civil Action issued as to Defendant Quanta Storage America, Inc.; and

WHEREAS on March 5, 2014, Plaintiff HP filed a Motion to Serve Defendant Quanta Storage, Inc. Through Its U.S. Counsel Under Federal Rule of Civil Procedure 4(f)(3) [Doc. No. 14] (the "Motion"); and

WHEREAS on March 18, 2014, Plaintiff HP filed a Request to Clerk for Entry of Default [Doc. No. 16] (the "Request") against Defendant Quanta Storage America, Inc.; and

WHEREAS Defendant Quanta Storage, Inc. has agreed to waive service of a summons under Rule 4 of the Federal Rules of Civil Procedure and to waive any objections to the absence of service of a summons and the Complaint; and

WHEREAS Defendant Quanta Storage, Inc. has agreed to waive any objections to the enforcement of any judgment entered against Defendant Quanta Storage, Inc. in this action, based on the absence of service of a summons and the Complaint; and

WHEREAS Defendant Quanta Storage America, Inc. has agreed to waive any objections to service of a summons and the Complaint; and

WHEREAS Plaintiff HP has agreed to withdraw the Motion and the Request,

NOW, THEREFORE, Plaintiff HP, Defendant Quanta Storage, Inc., and Defendant Quanta Storage America, Inc., through their respective counsel, hereby stipulate and agree that:

1. Defendant Quanta Storage, Inc. shall waive service of a summons under Rule 4 of the Federal Rules of Civil Procedure.
2. Defendant Quanta Storage, Inc. shall waive any objections to the absence of service of a summons and the Complaint.
3. Defendant Quanta Storage, Inc. shall waive any objections to the enforcement of

1 any judgment entered against Defendant Quanta Storage, Inc. in this action, based on the absence  
2 of service of a summons and the Complaint.

3 4. Defendant Quanta Storage America, Inc. shall waive any objections to service of a  
4 summons and the Complaint.

5 5. Plaintiff HP shall withdraw its Motion to Serve Defendant Quanta Storage, Inc.  
6 Through Its U.S. Counsel Under Federal Rule of Civil Procedure 4(f)(3) [Doc. No. 14].

7 6. Plaintiff HP shall withdraw its Request to Clerk for Entry of Default [Doc. No.  
8 16].

9 7. The deadline for Defendants Quanta Storage, Inc. and Quanta Storage America,  
10 Inc. to answer or otherwise respond to the Complaint shall be extended to Tuesday, June 24,  
11 2014.

12 8. To the extent that Defendant Quanta Storage, Inc. and/or Defendant Quanta  
13 Storage America, Inc. move to dismiss the Complaint under Rule 12(b)(6) of the Federal Rules of  
14 Civil Procedure or otherwise, the parties shall work in good faith to reach an agreed-upon briefing  
15 schedule that they shall present to the Court no later than Tuesday, July 8, 2014, but in no event  
16 shall the response of Plaintiff Hewlett-Packard Company to any such motion(s) be due before  
17 Monday, August 25, 2014.

18 IT IS SO STIPULATED.

19  
20 Dated: March 26, 2014

CROWELL & MORING LLP

21  
22 By: /S/ Beatrice B. Nguyen

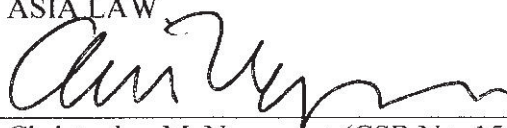
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24 Daniel A. Sasse  
25 Matthew J. McBurney  
Nathanial J. Wood  
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26 Attorneys for Plaintiff  
27 Hewlett-Packard Company  
28

1 Dated: March 26, 2014

ASIA LAW

2  
3 By:

  
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Attorneys for Defendants  
Quanta Storage, Inc. and Quanta Storage America, Inc.

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10 **FILER ATTESTATION**

11 Pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings Before the  
12 United States District Court for the Northern District of California, I, Beatrice B. Nguyen, hereby  
13 attest that concurrence in the filing of this document has been obtained from each of the other  
14 signatories.

15  
16 Dated: March 26, 2014

CROWELL & MORING LLP

17  
18 By: /S/ Beatrice B. Nguyen


19 Beatrice B. Nguyen

20 Attorneys for Plaintiff  
21 Hewlett-Packard Company

22 **~~PROPOSED~~ ORDER**

23 PURSUANT TO STIPULATION, IT IS SO ORDERED

24 DATED: 3/27/14

  
Honorable Richard Seeborg  
United States District Judge